

**Morrisville/Morristown Development Review Board**  
**P.O. Box 748 / Morrisville, VT 05661**  
**Phone (802) 888-6373**

---

**Meeting Minutes of 26 June 2024**

**Members Present:** Donnie Blake, Susanna Burnham, Gary Nolan (Chair), Paul Trudell, Mary Ann Wilson, Lenny Wing (Alternate)

**Members Absent:** Melissa LeBlanc (unneeded Alternate), Christy Snipp, Chris Wiltshire

**Staff:** Zoning Administrator Todd Thomas, Town Manager Brent Raymond, A/V Recorder Charlie Burnham

**Guests:** Conservation Commission Chair Ron Stancliff, Conservation Commission Member Jim Pease, Molly Pease, Paul Griswold, Helene Nilsen, Thea Alvin, Robyn Alvin, Melissa Rose, Prudy Newton, Ken Kleinman, Kristin Marriott, Gerry Audy, Bob Bortree, Nick Manosh, Joni Lanphear, Mike Paritz, Engineer Dexter Lefavour, Chris Demars, Leah Hollenberger, Betsy Bartholomew, Duane Sprague, David Eisenbaum, Marc Yakubosky, Attorney Jim Mahoney, Engineer John Grenier, Engineer Peter Smiar, Garret Hirschak, Greg Young, Janet Paine, Patrick Towne, Kristin Fogdall, Deb Adams, Ken Macdonough, John Lupien, Nancy Dunavan, Monique Duckworth, Dacia & Jay Rockwood, Laura & Martin Green

**Call to Order:** Chair Nolan called the meeting to order at approximately 6:00 PM.

**Minutes:** Member Trudell moved to approve the May 22<sup>nd</sup> meeting minutes. A vote of 5-0-1 affirmed the motion, with Member Burnham abstaining.

**Continued Hearing: §795 Lot Line Change, §630 Cond Use & §500 Site Plan Approval, 543 VT Route 15 East (Leo's Small Engines)**

Nick Manosh and Engineer Dexter Lefavour reappeared before the Board on behalf of property owner Leos Small Engine Sales Rentals & Repair who was requesting §795 Lot Line Change, §630 Conditional Use & §500 Site Plan Approval on Parcels 08066 & 08066-3 (which are split between the Commercial Zone and the Rural Residential Agricultural Zone), to construct a 100x60 commercial shop building at 543 VT Route 15 East, and to delete Condition #1 and modify conditions #6, #7, #8, & #9 from Permit 2013-111, which created the existing Leo's Small Engines commercial development. Chair Gary Nolan reopened the hearing by noting that a survey was submitted showing that the Commercial Zone boundary line encompassed both the existing Leo's Small Engines lot and the entire land area that would be added to it for the new heavy equipment building and shop. Zoning Administrator Thomas said that this survey cleared the path for project approval. After voting at its prior meeting that Condition #1 (500+ ft<sup>2</sup> additions to require further Board review) could be deleted, the Board agreed that Condition #9 (landscaping) from Permit 2013-111 could also be deleted. It was also agreed that the proposed landscaping on the new site plan would satisfy the remaining unmet landscaping requirements, with the tree planting that took place earlier in the day satisfying Condition #10 from Permit 2013-111. Mr. Manosh agreed that the landscaping shown on the site plan (cedar hedge on the southern property line & plantings atop the new retaining wall) would take place prior to the construction of the new shop building. Member Wilson moved to approve the project as proposed with the permit conditions as discussed. A vote of 5-0-1 affirmed the motion with Member Burnham abstaining because she was not present for the May 22<sup>nd</sup> hearing.

**Hearing: §750 Final Plat Approval, 161 Adams Way 2-Lot subdivision (Young)**

Greg Young, on behalf of his parents Richard & Marilyn Young, appeared before the Board requesting §750 Final Plat approval in the Rural Residential Agricultural Zone to subdivide 7.27

acre Parcel 16120 at 161 Adams Way to create 1.84 acre Parcel 16120-2 and leave 3.59 acres as a reminder lot (Parcel 16120-3). Mr. Young explained that his uncle recently constructed a house on the opposite side of Adams Way from his parents' house, and that the proposed subdivision would put each existing house on its own lot, while leaving an undeveloped remainder lot. Mr. Thomas said that the Fire Chief visited the site and had no issues with the turnaround. Member Blake moved to approve the subdivision as proposed. A vote of 6-0 affirmed the motion.

**Hearing: §207 Design Criteria, §207 Historic Preservation Criteria, §630 Cond Use & §500 Site Plan Approval, 165 Brooklyn Street (Lupien)**

John Lupien of 165 Brooklyn Street LLC appeared before the Board requesting §206 Design Criteria, §207 Historic Preservation Criteria, §630 Conditional Use & §500 Site Plan Approval to add the Dwelling Unit Multi-Family use to the old funeral home building at 165 Brooklyn Street, Parcel 21084 in the High Density Residential Zone. Member Paul Trudell recused himself from the hearing because he was the architect for this project. Mr. Lupien walked the Board through the redevelopment plans for the old funeral home building, which included a small second story addition on the south end of the building. He noted that a large maple tree would need to be cut down adjacent to the second story addition to connect to the Town's stormwater system, but that a new maple tree would be planted in its place. Member Burnham asked Mr. Lupien if he owned the fence that needed repair at the rear of the property. He said that he did, and the needed repairs would be made. Architect Trudell then led the Board through the structural and architectural changes that would be made to the building so the renovations complied with the §206 Design & §207 Historic Preservation Criteria. Mr. Thomas asked the Board to require Mr. Trudell to submit a signed certification that the post-construction building complied with the requirements of §207. Mr. Thomas noted that the site plan submitted earlier in the day fully conformed with the Town's zoning requirements by adding the required sidewalk extension on Brooklyn Street and the trash and recycling dumpster screening enclosure out behind the subject building. The Board discussed the following conditions of project approval for the project: the site plan being built as shown, the architectural rendering being constructed as proposed, the property survey being completed as required, standard lighting conditions, the rear fence being repaired, the planting of the replacement maple tree, and the requirement for at least 4-foot-tall coniferous bushes being planted to screen any mini-split condensers and meter sockets that are visible from Brooklyn Street. Mr. Thomas successfully confirmed that the Board desired to see these conditions met, including the construction of the sidewalk extension on Brooklyn Street, prior to the occupancy of the newly renovated apartment building. Member Blake moved to approve the project as proposed with the aforementioned conditions of approval. A vote of 5-0 affirmed the motion.

**Hearing: §750 Final Plat Approval for the airport industrial park & §660 Local Act 250 Review of Municipal Impacts (2322 Laporte Road LLC)**

Garret Hirschak, Attorney Jim Mahoney, and Engineers Peter Smiar and John Grenier appeared before the Board, on behalf of applicant/owner 2322 Laporte Road LLC, who was requesting §660 Local Act 250 Review of Municipal Impacts and §750 Final Plat approval in the Industrial Zone to subdivide 89-acre Parcel 12113 at 2322 LaPorte Road into 26 lots, along with associated improvements, including but not limited to new roads within the proposed industrial park and an associated water distribution system (with a new water tanks located on adjacent Parcel 12061).

Attorney Mahoney began the hearing by explaining that the current subdivision application was simply an extension of the previously approved DRB permit for aggregate removal on the property. He then walked the Board through the proposed lot lines, road system for the airport industrial park (which would be built to Town specifications but remain private for now), and the private water system that is currently being permitted by the VT ANR. He explained that the new water system will include 4 new fire hydrants, which will provide fire protection for this part of the town for the first time. The water supply system was described as sized at approximately 160,000 gallons, divided between two water tanks with a maximum height of 35 feet each (24-foot walls plus an 8-foot dome). Attorney Mahoney further explained that the water tanks are being notched into the adjacent hill to obscure them from surrounding residential views. Chair Nolan said he would like a water source for firefighting provided at base of the water tanks on Stagecoach Road, even if that location only provided the Fire Department with enough pressure to flow water into a basket and pump therefrom.

After the applicant's presentation, Board Members debated the industrial park's proposed secondary road access onto Cochran Road. Attorney Mahoney responded to the concerns by saying that a secondary access point was needed for a project of this size, but a truck traffic prohibition for this intersection could easily be added to the submitted covenants. Engineer Smiar segued into the development's traffic study and said 80% of the morning traffic would be coming from the north, so a right-hand turn lane into the industrial park from Route 100 would probably be required by VTrans early in the industrial park's development process. Upon a question from Member Wilson, it was explained that the construction of a left-hand turn lane into the site coming from Stowe would be triggered much later when the industrial park was more built out. Engineer Smiar then spoke to the landscaping for the industrial park. After a request from Mr. Thomas, it was decided that a signed certificate from a landscape architect or arborist that the proposed plantings have been made as shown on the plans would be a condition of approval prior to the development of any adjacent lot. A brief discussion also took place regarding streetlights, especially the requirement for them at any road terminus. Mr. Thomas also read the 3 findings the Board would have to make per the requested §660 Local Act 250 Review of Municipal Impacts, which related to new school children, the Town's capacity to serve the proposed industrial park, and the compliance with the Town Plan.

The Board received project comments from the following people who were determined to be Interested Parties to the proposed industrial park subdivision application:

- Janet Paine of 46 Cochran Road said she was concerned about truck traffic and light pollution, especially from the proposed streetlights.
- Marc Yakubosky of 388 Cochran Road said he is opposed to the Cochran Road access to the industrial park and wants it to be, at most, a gated emergency access.
- Jay & Dacia Rockwood of 16 Brittany Lane said they were also opposed to the Cochran Road industrial park access, and they added an additional concern about headlight impacts onto their house from turning automobiles therefrom.
- Gerry Audy of 557 Cochran Road asked for 30 foot no cut buffer along his property line.

David Eisenbaum of 2436 Stagecoach Road asked for the proposed water tanks to be screened from views from his home (developer sight analysis currently in process). After hearing concerns

about the project from additional members of the public (non-Interested Parties), Member Wilson moved to recess the hearing to Deliberative Session. A vote of 6-0 affirmed the motion. At the conclusion of the Deliberative Session discussion, Member Blake moved to find that the proposed industrial park is in conformance with the current Town Plan, will not cause any burden on educational services or an unreasonable burden on the Town's ability to provide municipal services, and to approve the project with the following conditions of approval:

1. A water source connection, per the specifications of the Morrisville Fire Department, shall be provided at the Stagecoach Road water tanks by the applicant.
2. The industrial park's secondary road access onto Cochran Road shall be prohibited from receiving entering or exiting truck traffic via permit condition, and within the revised subdivision covenants. The traveled area of this lane shall not exceed 18 feet in width, and it shall be signed to prohibit truck traffic except for emergency vehicles. The applicant shall also provide a turnaround on the plans before between lots 24 and 25 to allow trucks to turn around prior to using this secondary access point.
3. The plantings shown on the landscape plans shall be in place and certified as such by a landscape architect or arborist prior to construction of buildings within the industrial park
4. The subdivision mylar shall be revised to show the provided Town Parcel IDs on each lot, and the industrial park road names as approved by the Selectboard and VT e911.
5. Streetlights shall be added to the terminus of any road within the industrial park, but no streetlight shall be provided at the industrial park's Cochran Road intersection. The applicant, if possible, shall reduce the number of streetlights provided from 4 to 2 at the main intersection of the industrial park's internal roadway system.
6. The applicant shall add a 30-foot-wide no cut buffer to the subdivision plans along the southern property line of Gerry & Mary Audy.
7. The Zoning Administrator, at any time, shall be empowered to direct the applicant to provide additional screening of the water tank from the Eisenbaum property at 2436 Stagecoach Road if the as-planted landscaping is not fully effective in any season.

A vote of 6-0 affirmed the motion.

---

The meeting adjourned at 9:30 PM, submitted by Todd Thomas

**RECEIVED**

**JUL 25 2024**

**TOWN OF MORRISTOWN**